

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**BLACKBERRY LIMITED
AND BLACKBERRY CORP.,**

Plaintiffs,

v.

AVAYA INC.,

Defendant.

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Civil Action No. 3:16-02185-M

**NOTICE OF SUGGESTION OF PENDENCY OF BANKRUPTCY FOR
AVAYA INC., ET AL AND AUTOMATIC STAY OF PROCEEDINGS**

PLEASE TAKE NOTICE that on January 19, 2017, Avaya Inc., and certain of its subsidiaries and affiliates (collectively, the “Debtors”),¹ filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 B.S.C. §§ 101-1532 (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”). The Debtors’ chapter 11 cases are pending before the Honorable Judge Stuart M. Bernstein, United States Bankruptcy Judge, and are being jointly administered under the lead case In re Avaya Inc., et al., Case No. 17-10089 (SMB) (the “Chapter 11 Cases”). A copy of the voluntary petition of the lead Debtor, Avaya Inc., is attached hereto as **Exhibit A**.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Avaya Inc. (3430); Avaya CALLA Inc. (9365); Avaya EMERA Ltd. (9361); Avaya Federal Solutions, Inc. (4392); Avaya Holdings Corp. (9726); Avaya Holdings LLC (6959); Avaya Holdings Two, LLC (3240); Avaya Integrated Cabinet Solutions Inc. (9449); Avaya Management Services Inc. (9358); Avaya Services Inc. (9687); Avaya World Services Inc. (9364); Octal Communications LLC (5700); Sierra Asia Pacific Inc. (9362); Sierra Communication International LLC (9828); Technology Corporation of America, Inc. (9022); Ubiquity Software Corporation (6232); Pent Technologies, Inc. (1193); and Zing, Inc. (7229). The location of Debtor Avaya Inc.’s corporate headquarters and the Debtors’ service address is: 4655 Great America Parkway, Santa Clara, CA 95054.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 362(a) of the Bankruptcy Code, the Debtors' filing of their respective voluntary petitions gives rise to a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of any judicial, administrative, or other action or proceeding against the Debtors (I) that was or could have been commenced before the commencement of the Chapter 11 Cases or (ii) to recover a claim against the Debtors that arose before the commencement of the Chapter 11 Cases; (b) the enforcement, against any of the Debtors or against any property of each of the Debtors' bankruptcy estates, of a judgment obtained prior to the commencement of the Chapter 11 Cases; and (c) any act to obtain possession of property of or from any of the Debtors' bankruptcy estates, or to exercise control over property of any of the Debtors' bankruptcy estates.² No order has been entered in the Chapter 11 Cases granting relief from the automatic stay.

PLEASE TAKE FURTHER NOTICE that copies of the above-referenced motions may be obtained free of charge by visiting the website of Prime Clerk LLC at <http://cases.primeclerk.com/avaya> or by calling (855) 252-2156. You may also obtain copies of any pleadings by visiting the Bankruptcy Court's website at <https://ecf.nysb.uscourts.gov/> (PACER login and password required) in accordance with the procedures and fees set forth therein.

² Nothing herein shall constitute a waiver of the Debtors' rights to assert any claims, counterclaims, defenses, rights of setoff or recoupment, or any other claims against any party to the above-captioned case. The Debtors expressly reserve all rights to contest any claims that may be asserted against the Debtors.

Dated: January 20, 2017

Respectfully submitted,

s/ Jon G. Shepherd

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Attorneys for Defendant Avaya Inc.

CERTIFICATE OF SERVICE

On January 20, 2017, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or *pro se* parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s Jon G. Shepherd

Jon G. Shepherd